



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**82ND LEGISLATIVE DAY**

**Perfunctory Session**

**FRIDAY, FEBRUARY 17, 2012**

**2:19 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**82nd Legislative Day**

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The Senate met pursuant to the directive of the President.  
Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.  
Silent prayer was observed.

**REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

Office of the Auditor General Compliance Examination for the Two Years Ended June 30, 2011, submitted by the Legislative Audit Commission.

State of Illinois Forecast Report, submitted by Commission on Government Forecasting and Accountability.

Illinois Structural Pest Control Advisory Council Subcommittee on Bed Bugs 2011 Report, submitted by the Department of Public Health.

Report of Social Services Block Grant Fund and Local Initiative Fund Receipts and Transfers, State Fiscal Year 2012, submitted by the Department of Human Services.

Qualified Energy Conservation Bonds Allocations as of February 15, 2012, submitted by the Illinois Finance Authority.

Illiana Expressway - Will, Kankakee (IL) and Lake (IN) Counties Legislative Report - February 1, 2012, submitted by the Department of Transportation.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

**LEGISLATIVE MEASURES FILED**

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to Senate Bill 2579  
Senate Committee Amendment No. 1 to Senate Bill 2820  
Senate Committee Amendment No. 1 to Senate Bill 2945  
Senate Committee Amendment No. 1 to Senate Bill 3250

**MESSAGES FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

February 15, 2012

Ms. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

[February 17, 2012]

Pursuant to Rule 2-10, I am cancelling the Senate Perfunctory Session scheduled Wednesday, February 15, 2012.

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

February 17, 2012

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am scheduling a Senate Perfunctory Session to convene on Friday, February 17, 2012.

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

February 17, 2012

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Heather Steans to temporarily replace Senator Kimberly Lightford as a member of the Senate Executive Appointments Committee. This appointment will automatically expire upon adjournment of the Senate Executive Appointments Committee.

Sincerely,

[February 17, 2012]

s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

February 17, 2012

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Maggie Crotty to temporarily replace Senator Kimberly Lightford as a member of the Senate Committee on Assignments. This appointment will automatically expire upon adjournment of the Senate Committee on Assignments.

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 602**

Offered by Senator Dillard and all Senators:  
Mourns the death of Mary McCann of Wheaton.

**SENATE RESOLUTION NO. 603**

Offered by Senator Dillard and all Senators:  
Mourns the death of James E. Fletcher of Burr Ridge.

**SENATE RESOLUTION NO. 604**

Offered by Senator Haine and all Senators:  
Mourns the death of Robert E. "Bob" Koeller.

**SENATE RESOLUTION NO. 605**

Offered by Senator Kotowski and all Senators:  
Mourns the death of Florence W. Mazewski, nee Heider.

**SENATE RESOLUTION NO. 606**

Offered by Senator Hunter and all Senators:  
Mourns the death of Lucille Vance Gregory Butler of Chicago.

**SENATE RESOLUTION NO. 607**

Offered by Senator Althoff and all Senators:

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Mourns the death of Kathleen M. “Kathy” Nordin of Woodstock.

**SENATE RESOLUTION NO. 608**

Offered by Senator Althoff and all Senators:  
Mourns the death of Aaron R. Jacobs of McHenry.

**SENATE RESOLUTION NO. 611**

Offered by Senator Schoenberg and all Senators:  
Mourns the death of Robert Phillip Cahill.

**SENATE RESOLUTION NO. 612**

Offered by Senator Schoenberg and all Senators:  
Mourns the death of Marlene C. Stern.

**SENATE RESOLUTION NO. 613**

Offered by Senator Schoenberg and all Senators:  
Mourns the death of Jay A. Miller of Evanston.

**SENATE RESOLUTION NO. 614**

Offered by Senator Schoenberg and all Senators:  
Mourns the death of Ira M. Korman.

**SENATE RESOLUTION NO. 615**

Offered by Senator Schoenberg and all Senators:  
Mourns the death of Maynard Wishner of Chicago.

At the direction of the Secretary, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator J. Collins offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 609**

WHEREAS, On April 1, 1854, Augustus Tolton, a man who would become the nation's first African-American priest, was born into slavery to Martha Jane Chisley and Peter Paul Tolton, who were both kept in slavery in Brush Creek, Missouri; and

WHEREAS, When the nation was headed toward a civil war, Peter Paul Tolton escaped slavery to join the Union Army, dreaming of freedom and education for his children; unfortunately, he died in St. Louis shortly after his escape; and

WHEREAS, In 1862, Augustus Tolton's mother, determined by the sight of him and his brother doing field work at ages 7 and 8 and worried that any of her three children would be sold to other slave-owners, planned and carried out the family's harrowing escape to Quincy; and

WHEREAS, In Quincy, Martha Tolton sent Augustus Tolton to get an education with the Notre Dame Sisters in St. Boniface Parish in Quincy, which caused an uproar that eventually forced Augustus to withdraw from school until Father Peter McGirr of nearby St. Lawrence School (later St. Peter's) prepared the way for his school to accept its first black student; and

WHEREAS, Father McGirr, recognizing Augustus Tolton as a devout young man who served Mass daily before going to work, saw in Augustus a possible vocation in the priesthood; realizing that no seminary or religious order in the United States would accept Augustus due to his race, Father McGirr began with local priests to assist in Augustus' formal education in 1873; and

WHEREAS, In 1878, the Franciscans at St. Francis College (now known as Quincy University) took  
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Augustus Tolton in as a student; while at St. Francis, he excelled academically, helped influence the temperance movement, started a Sunday school, and urged families to see to the religious instruction of their children; and

WHEREAS, In 1880, while in search of a seminary to pursue his priestly vocation, Augustus Tolton left Quincy for Rome, Italy to become a seminarian at the Propaganda Seminary (Urban College), which trains priests for work in mission countries; and

WHEREAS, On the day before his priestly ordination, Cardinal Simeoni told Augustus Tolton that a committee had agreed that he should be sent to Africa, but that the Cardinal overruled the decision, announcing that "America has been called the most enlightened nation in the world. We shall see whether it deserves that honor. If the United States has never before seen a black priest, it must see one now"; and

WHEREAS, On April 24, 1886, Augustus Tolton was ordained to the priesthood at the Basilica of St. John Lateran in Rome; and

WHEREAS, Father Tolton subsequently returned to Quincy and became pastor of St. Joseph's Church on July 25, 1886; he worked tirelessly for the welfare of his parish, travelling great distances for numerous speaking engagements around the country to raise money to maintain the church and school; and

WHEREAS, In 1889, Father Tolton came to Chicago and was placed in charge of a fledgling group of black Catholics under the title of the St. Augustine Society out of St. Mary Church in downtown Chicago; and

WHEREAS, In 1891, after moving to St. Monica's store-front chapel, Father Tolton assisted in garnering support for the construction of a grand St. Monica's Church; by the time the church opened, Father Tolton was ministering directly to 600 African-American Catholics and tirelessly aiding many others who were afflicted by poverty; and

WHEREAS, Father Tolton's unceasing dedication to work and to serving those in his community kept him constantly busy, leading to much noticeable fatigue and exhaustion; and

WHEREAS, On July 9, 1897, upon returning to Chicago from an annual gathering of priests in Bourbonnais, Father Tolton passed away at the young age of 43 of heat stroke; he was laid to rest in St. Peter's Cemetery in Quincy; and

WHEREAS, On February 24, 2011, in consideration of Father Tolton's priestly dedication, particularly to African-American Catholics, the Cause for the beatification and canonization of Father Augustus Tolton was officially opened; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that that we commemorate the 126th anniversary of the ordination of Father Augustus Tolton as the first African-American priest in the United States and designate the date of April 24, 2012 as Father Augustus Tolton Day, during which we urge all Illinoisans to remember his unyielding commitment and ministry to African-American Catholics in Quincy, Chicago, and across the nation.

Senator Althoff offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 610**

WHEREAS, Nursys ([www.nursys.com](http://www.nursys.com)) is the national nurse licensure database operated by the National Council of State Boards of Nursing (NCSBN), located in Chicago; and

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WHEREAS, Boards of nursing in 48 states and territories presently participate in Nursys and 3 additional jurisdictions have signed agreements to fully participate in Nursys; and

WHEREAS, Nursys is a vital tool for boards of nursing to protect the public; and

WHEREAS, Full-participating boards of nursing contribute licensure and discipline data to Nursys; and

WHEREAS, Participation in Nursys is a no-cost benefit to members of NCSBN and allows member boards of nursing to share licensure and discipline data with other boards of nursing; and

WHEREAS, Participating boards of nursing retain complete control of their data and are thus responsible and accountable for their data in Nursys; and

WHEREAS, Nursys contains personal, licensure, education, verification, and discipline information supplied as regular updates by boards of nursing in the U.S. and its territories; and

WHEREAS, Nursys provides centralized license information to boards of nursing, which in turn, use this data to verify applicant license information, enter and review disciplinary actions, and send electronic communications between boards of nursing for information requests; and

WHEREAS, Employers and the public have free online access to information about nurses who hold a license in a Nursys fully-participating jurisdiction, including past disciplinary history via the "Licensure Quick Confirm" feature on www.nursys.com; and

WHEREAS, The Illinois Board of Nursing's current online licensure lookup service will only display Illinois licenses and does not display additional licenses held by Illinois licensees in other jurisdictions; and

WHEREAS, The Illinois Board of Nursing is a dues-paying member of NCSBN, but does not fully participate in the Nursys database; and

WHEREAS, The Illinois Board of Nursing will not incur any revenue loss by full participation in Nursys in view of participation in the license verification service being optional; and

WHEREAS, As a public protection function of Nursys, a board of nursing that fully participates in Nursys receives immediate notification whenever one of its state licensees is disciplined in another jurisdiction, while, as a non-participant in Nursys, Illinois does not benefit from such instant notifications; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Board of Nursing of the Illinois Department of Financial and Professional Regulation to take the necessary steps to become a full participant of the Nursys national nurse licensure database; and be it further

RESOLVED, That we further urge the Illinois Board of Nursing to sign the Nursys participation agreement in 2012; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Illinois Board of Nursing of the Illinois Department of Financial and Professional Regulation.

#### **REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 17, 2012 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Bills Numbered 3271, 3280, 3292, 3316 and 3436.**

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Appropriations I: **Senate Bills Numbered 3302, 3317 and 3466.**

Appropriations II: **Senate Bills Numbered 2872, 3254, 3462 and 3463.**

Commerce: **Senate Bills Numbered 3341, 3402 and 3454.**

Criminal Law: **Senate Bills Numbered 2944, 3343, 3349, 3423, 3432, 3433, 3458, 3488, 3489 and 3500.**

Education: **Senate Bills Numbered 3374, 3393, 3394, 3405, 3408, 3410 and 3495.**

Energy: **Senate Bill No. 3453.**

Environment: **Senate Bills Numbered 2950, 3282, 3414 and 3442.**

Executive: **Senate Bills Numbered 1324, 1838, 2874, 2942, 3146, 3201, 3323, 3332, 3338, 3339, 3369, 3413, 3456, 3465, 3484 and 3497.**

Financial Institutions: **Senate Bill No. 1844.**

Higher Education: **Senate Bills Numbered 3397 and 3428.**

Human Services: **Senate Bills Numbered 3322, 3325, 3326, 3337, 3354, 3404, 3416, 3417, 3418, 3440, 3441, 3480, 3481, 3482, 3483 and 3485.**

Insurance: **Senate Bills Numbered 3281, 3411, 3457 and 3490.**

Judiciary: **Senate Bills Numbered 3287, 3334, 3356, 3407, 3415, 3426, 3439, 3493, 3725 and 3764.**

Labor: **Senate Bills Numbered 3155 and 3427.**

Licensed Activities: **Senate Bills Numbered 3279, 3315, 3380 and 3385.**

Local Government: **Senate Bills Numbered 1829, 3184, 3185, 3255, 3295, 3324, 3373, 3392, 3406, 3437 and 3438.**

Pensions and Investments: **Senate Bills Numbered 3355, 3357, 3396 and 3421.**

Procurement: **Senate Bills Numbered 3216, 3267, 3294, 3304 and 3371.**

Public Health: **Senate Bills Numbered 3238, 3261, 3329, 3395, 3420, 3455, 3461, 3464 and 3499.**

Revenue: **Senate Bills Numbered 2971, 3274, 3277, 3314, 3320, 3348, 3363, 3365, 3366, 3370, 3381, 3386, 3389, 3390, 3391, 3401, 3403, 3429, 3430, 3431, 3449, 3460, 3478 and 3479.**

State Government and Veterans Affairs: **Senate Bills Numbered 3245, 3284, 3422 and 3498.**

Transportation: **Senate Bills Numbered 2890, 3336, 3358, 3368, 3372, 3384, 3387, 3400, 3409, 3435, 3452, 3487 and 3491.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 17, 2012 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Local Government: **House Bills Numbered 2557 and 3129.**

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Pensions and Investments: **House Bill No. 3474.**

Revenue: **House Bill No. 587.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 17, 2012 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Energy: **Senate Joint Resolution No. 53.**

Human Services: **Senate Joint Resolution No. 43.**

Insurance: **Senate Joint Resolution No. 51.**

Public Health: **Senate Resolutions Numbered 546, 580 and 586; Senate Joint Resolution No. 46.**

Revenue: **Senate Joint Resolution No. 45.**

State Government and Veterans Affairs: **Senate Resolution No. 596.**

Transportation: **Senate Joint Resolution No. 54.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 17, 2012 meeting, to which was referred **Senate Bills Numbered 171 and 407** on July 23, 2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 171 and 407** were returned to the order of third reading.

At the hour of 2:27 o'clock p.m., pursuant to **House Joint Resolution No. 60**, the Chair announced the Senate stand adjourned until Wednesday, February 22, 2012, at 11:00 o'clock a.m., or until the call of the President.